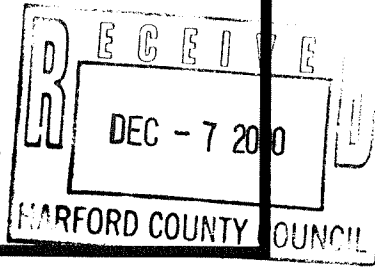


ZONING RECLASSIFICATION APPLICATION

Harford County Board of Appeals

Bel Air, Maryland 21014



Shaded Area For Office Use Only

Case No. 114

Date Filed 12-4-00

Hearing Date _____

Pre-Conf. _____

Receipt _____

Fee \$2360

Note

1. It is required that the applicant have a pre-filing conference with the Department of Planning and Zoning to determine the necessary additional information that will be required.
2. The burden of proof in any rezoning case shall be upon the Petitioner.
3. Any application in a zoning case and any amendment thereto shall contain specific allegations setting forth the basis for granting of the request.
4. Petition must contain names and addresses of all persons having legal or equitable interest in the property, including shareholders owning more than five percent (5%) of the stock in a corporation having any interest in the property, except those corporations listed and traded on a recognized stock exchange.
5. Application will be reviewed for completeness within ten (10) working days of submittal. Applicant will be notified by mail of completeness of application.

Petitioner

Name Christopher Maistros, President
BLC Properties, Inc. Phone Number _____

Address 4602 Pulaski Highway Belcamp Maryland 21017
Street Number Street State Zip Code

Property Owner Same as Above. Phone Number _____

Address _____
Street Number Street State Zip Code

Contract Purchaser N/A Phone Number _____

Address _____
Street Number Street State Zip Code

Attorney/Representative Robert S. Lynch, Esquire
Stark and Keenan, P.A. Phone Number (410) 879-2222/838-5522

Address 30 Office Street Bel Air Maryland 21014
Street Number Street State Zip Code

Hearing: 2/14/01

Land Description

Address and Location of Property (with nearest intersecting road) Old Philadelphia Road, east of
Stepney Road

Subdivision _____ Lot Number _____ Acreage/Lot Size 175.477 Election District 1

Existing Zoning R3 Proposed Zoning CI Acreage to be Rezoned 175.477

Tax Map No. 62 Grid No. 1F Parcel 60 Deed Reference 1678/12

Critical Area Designation N/A Land Use Plan Designation Industrial-Employment
Medium Intensity

Present Use and ALL improvements: Vacant

Proposed Use (If for subdivision development, proposed number of lots, type of dwellings, and type of development.

Example: Conventional, Conventional with Open Space, Planned Residential Development) Commercial-
Industrial

Is the property designated a historic site, or does the property contain any designated or registered historic structures?

N/A If yes, describe: _____

Estimated Time Requested to Present Case: 2 Hours

Required Information To Be Attached

(Submit three (3) copies of each):

(a) The names and addresses of all persons, organizations, corporations, or groups owning land, any part of which lies within five hundred (500) feet of the property proposed to be reclassified as shown on the current assessment records of the State Department of Assessments and Taxation.

(b) A statement of the grounds for the application including:

(1) A statement as to whether there is an allegation of mistake as to the existing zoning, and if so, the nature of the mistake and facts relied upon to support this allegation.

(2) A statement as to whether there is an

allegation of substantial change in the character of the neighborhood, and if so, a precise description of such alleged substantial change.

(c) A statement as to whether, in the applicant's opinion, the proposed classification is in conformance with the Master Plan and the reasons for the opinion.

(d) A Concept Plan shall be submitted by the applicant at the time the application is filed. The Concept Plan shall illustrate the following:

(1) Location of site.

(2) Proposed nature and distribution of land uses, not including engineering drawings.

(3) Neighborhood (as defined by the Applicant).

ATTACHMENT A

FOR REZONING RECLASSIFICATION APPLICATION
BLC PROPERTIES, INC., PETITIONER

The Zoning Reclassification Application requests the following information. Petitioner's submission is as follows:

"(a) The names and addresses of all persons, organizations, corporations, or groups owning land, any part of which lies within five hundred (500) feet of the property proposed to be reclassified as shown on the current assessment records of the State Department of Assessments and Taxation.

See Attachment B - List of Adjoining Property Owners.

"(b) A statement of the grounds for the application including:

(1) A statement as to whether there is an allegation of mistake as to the existing zoning and, if so, the nature of the mistake and the facts relied upon to support this allegation."

A mistake occurred in the legal sense when the subject property was rezoned from its previous General-Industrial (G-I) classification to its current Urban Residential (R-3) classification in that the said rezoning violated the covenants imposed upon the property by the Petitioner on November 16, 1981. The applicability of the covenants to the subject tract was the subject of extensive litigation between the Petitioner and McCormick & Company, Incorporated. In Circuit Court Case No. 28686-65-371, Judge Cypert O. Whitfill, on June 30, 1999, issued a Final Order providing for injunctive and declaratory relief which prohibits any residential use of the Property. The current R-3 zoning, while encumbering the subject Property, can not be utilized for residential purposes, pursuant to the Court decree. Given the Property's geographic location, next to land owned by McCormick &

Company, Inc., it is more appropriate for the Property to have a Commercial Industrial zoning classification.

"(2) A statement as to whether there is an allegation of substantial change in the character of the neighborhood, and if so, a precise description of such alleged substantial change."

Not Applicable.

"(c) A statement as to whether, in the applicant's opinion, the proposed classification is in conformance with the Master Plan and the reasons for the opinion."

The proposed classification is in conformance with the Harford County Master Plan. The subject property is classified "Industrial/Employment and Medium Intensity", pursuant to the Master Land Use Map. The Master Plan defines "Industrial Employment" as "Areas of concentrated manufacturing distribution, technical, research, office and other activities generally located along transportation corridors." The Master Plan defines "Medium Intensity" as "Areas within the Development Envelope where residential development is the primary land use. Density ranges from 3.5 to 7.0 dwelling units per acre. Grocery stores, variety stores, and other commercial uses are examples of some of the more intensive uses associated with this designation."

"(d) A Concept Plan shall be submitted by the applicant at the time the application is filed. The Concept Plan shall illustrate the following:

1. Location of site.

2. Proposed general nature and distribution of land uses but need not include engineered drawings.
3. Neighborhood (as defined by the Applicant).
4. All surrounding zoning.
5. Proposed public or private capital improvements."

Petitioner: See Attachment C entitled "Zoning Reclassification Plan".

"(e) Previous individual rezonings and recommendations since the effective date of the Comprehensive Rezoning, within the neighborhood of the petitioned area, their case numbers, dates, and decisions."

Not Applicable.

"(f) Environmental features map indicating woods, fields, streams, floodplains, non-tidal wetlands, etc.

Petitioner: See Attachment C.

"(g) Property deed, and a boundary survey prepared and sealed by a registered surveyor, including dimension of area requested to be rezoned if only a portion of the property."

See Attachments D (Deed) and E (Legal Description).

"(h) Private restrictions or covenants, if any, applicable to subject parcel."

See Attachment F1: Riverside Business Park Declaration of Covenants Easements, Liens & Charges recorded among the Land Records of Harford County at Liber 1154, folio 0048 on November 19, 1981.

See Attachment F2: Declaration and Agreement dated April 21, 1995 between BLC Properties, Inc. and Riverside Community Assoc., Inc. recorded among the Land Records of Harford County on April 20, 1995 at Liber 2241, folio 575.

"(i) Any agreements with individuals or associations in the neighborhood related to the proposed zoning shall be submitted."

See Attachment G: "Agreement" between McCormick & Co., Inc. and BLC Properties, Inc. dated April 19, 2000. Also refer to paragraph "h" above.

"(j) Availability of public water and sewer."

Both public water and sewer are available.

(k) List of all persons with legal or equitable interests in the subject property.

See Attachment H.


Additional Information as Required by the Department of Planning and Zoning

- (4) All surrounding zoning.
- (5) Proposed public or private capital improvements.
- (e) Previous individual rezonings and recommendation since the effective date of the Comprehensive Rezoning, within the neighborhood of the petitioned area, their case numbers, dates, and decisions.
- (f) Environmental features map indicating woods, fields, streams, floodplains, non-tidal wetlands, etc.
- (g) Property deed and a boundary survey prepared and sealed by a registered surveyor, including dimension of area requested to be rezoned if only a portion of the property.
- (h) Private restrictions or covenants, if any, applicable to subject parcel.
- (i) Any agreements with individuals or associations in the neighborhood related to the proposed zoning shall be submitted.
- (j) Availability of public water and sewer.

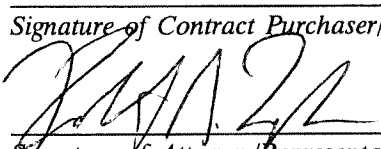
- (a) Existing and proposed libraries, parks, schools, fire and police departments.
- (b) Demonstration of compatibility of the proposed use with existing and proposed development for the area.
- (c) Traffic impact study.
- (d) Economic and Environmental impact studies.
- (e) Estimated population for existing and proposed petitioned area and neighborhood, as defined.
- (f) Soils analysis.
- (g) Aerial photograph.

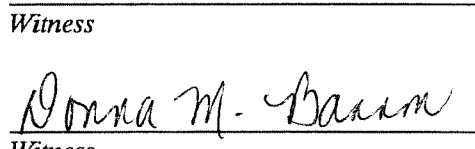
CASE 114 MAP 62 TYPE Rezoning
 ELECTION DISTRICT 1 LOCATION Old Philadelphia Road, East of Stepney
 BY BLC Properties Inc., Christopher Maistros, President, 4602 Pulaski Highway,
 Belcamp, Md. 21017
 Appealed a petition for rezoning pursuant to Section 267-12A of the Harford County Code to
 rezone 175.477 acres from a R3 District to a CI District requires approval by the Board.

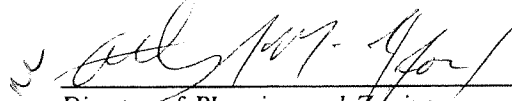
I/We do solemnly declare and affirm under the penalties of perjury that the contents of the foregoing affidavit are true and correct to the best of my/our knowledge, information, and belief.

 9/13/00
 Signature of Applicant/Owner Date

 9-13-00
 Witness Date

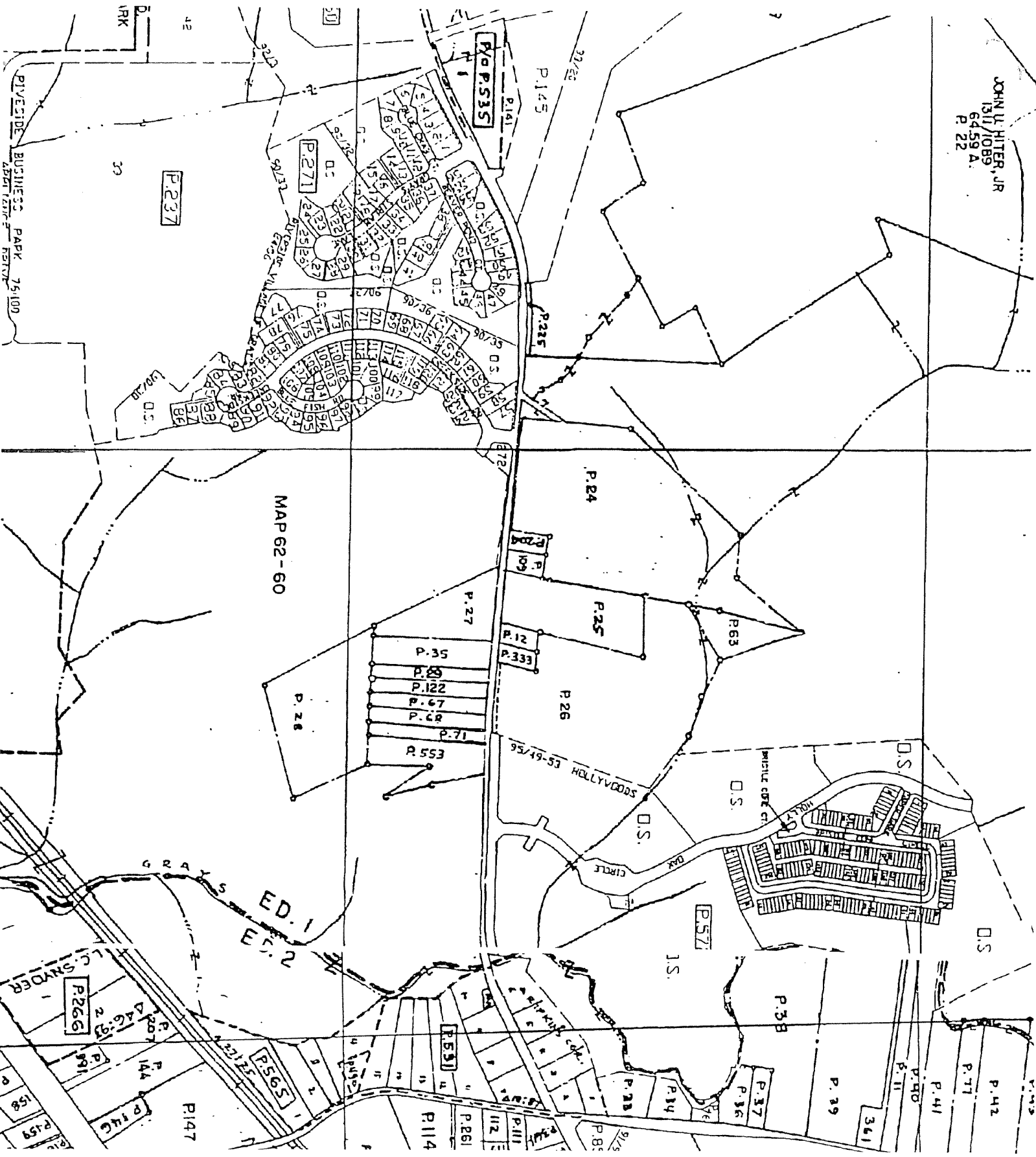
 10/18/01
 Signature of Contract Purchaser/Owner Date

 10/18/00
 Witness Date

 12/7/00
 Director of Planning and Zoning Date


 Zoning Staff Date

JOHN L. HINTER, JR
1311/1089
64.59 A.
P. 22



MAP 62-60

ED. 1
ED. 2

PIVOTSIDE BUSINESS PARK 75100
ARK
42
39

L.C. SNYDER
P.266
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HOLLYWOODS
CIRCLE
D.S.
J.S.
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P.40
P.41
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